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Subject: RE: Does 1-9 v MindGeed, Hammy Media
Date: Thursday, June 23, 2022 12:14:00 PM

Jeffrey –

We are not authorized to accept service for the new foreign entities.

We will have to agree to disagree about the cause of any “resulting delay,” which, from our perspective, arises from the Plaintiffs’ decision to name foreign entities wholly unconnected to the claims raised (and not subject to jurisdiction within the United States).

Please also make sure that Val Gurvits is copied on case emails: vgurvits@bostonlawgroup.com

Thank you.

Evan

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Subject: Does 1-9 v MindGeed, Hammy Media

Counsel,

As you know, the Court recently allowed filing of Plaintiff’s Fifth Amended Complaint, adding a number of defendants believed to be subsidiaries, affiliates or associates of MG Freesites, LTD or Hammy Media LTD. Plaintiffs’ question at this point is whether present counsel intends on accepting service for any or all of these named entities. MG FREESITES II

LTD., MINDGEEK S.A.R.L., MINDGEEK USA, INC., MG BILLING LTD.; and TRAFFICSTARS LTD., WISEBITS LTD, XHAMSTER IP HOLDINGS LTD, WISEBITS IP LTD

We can also make formal requests for waiver of service pursuant to FRCP 4(d) if that is preferable.

You are aware that many of these additional associated defendants are foreign corporations and, if they insist on formal service by means of the Hague Convention, that will result in a considerable delay in moving this case substantively forward. If the MindGeek and xHamster entities will not appear before the court voluntarily, it must be understood that the resulting delay would be due to that failure to cooperate and not due to any lack of diligence by the Plaintiffs.

Please advise as to your respective clients' positions.

Thank you,

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